

Aug 7 1 15 PM '97

STATE OF MISSISSIPPI
COUNTY OF DESOTO

SUBSTITUTED TRUSTEE'S DEED

BK 320 PG 52
W.E. DAVIS CH. CLK.

WHEREAS, on 15 September 1994 TOMMY L. ROWE and wife BONITA T. ROWE executed a certain deed of trust to George McFall, Trustee for the benefit of DIANE S. SAUNDERS HILL, which said deed of trust is recorded in Real Estate Trust Deed Book 727 at page 362 in the land records of DeSoto County, Mississippi, and

WHEREAS, as authorized by said deed of trust and in accord therewith, the said Diane S. Saunders Hill appointed and substituted William W. Ballard as Trustee thereof to act in the place and stead of the said original trustee designated in said deed of trust by the execution of an appointment of the said William W. Ballard as such by instrument found in Real Estate Trust Deed Book 911 at page 599 of the land records of said county and state prior to the first publication and posting of the notice of sale of the lands hereinafter described, and

WHEREAS, the said Diane S. Saunders Hill, the beneficiary of said deed of trust and the holder of the promissory note secured thereby did previously exercise her option to declare the said promissory note due and payable in full pursuant to the terms thereof and caused the Substituted Trustee to foreclose and sell the property described in said deed of trust on 1 August 1997, and

WHEREAS, default having been made in the terms and conditions of said deed of trust and of the promissory note secured thereby which default continued for a period of time necessary for the holder thereof to declare the entire indebtedness, together with attorney's fees, expenses and costs, immediately due and payable, as was her option so to do under the terms of said deed of trust, and default having been made in payment of said amount and the substituted trustee having been requested and directed by the said Diane S. Saunders Hill to foreclose under the terms of said deed of trust, I, the undersigned substituted trustee, did on 1 August 1997, during legal hours, at the main, east door of the DeSoto County Courthouse, in accord with the terms of the said deed of trust and the laws of the State of Mississippi, offer for sale at public auction and sell to the highest and best bidder for cash the following described land and property lying and being situated in DeSoto County, Mississippi, being more particularly described as follows:

LOT 46, SECTION D, OAKLAWN SUBDIVISION, LOCATED IN SECTION 13, TOWNSHIP 3, RANGE 8 WEST, CITY OF HERNANDO, DESOTO COUNTY, MISSISSIPPI, AS RECORDED IN PLAT BOOK 6 PAGE 15 IN THE CHANCERY CLERK'S OFFICE OF DESOTO COUNTY, MISSISSIPPI

Said lands were sold in compliance with all the terms and conditions of said deed of trust and the statutes made and provided in such matters. A notice of the time, place and terms of said sale, together with a description of the said lands to be sold was given by the publication thereof in the DeSoto Times, a newspaper published in DeSoto County, Mississippi, for four (4) consecutive weeks preceding the date of sale. The first said published notice appeared on 3 July 1997, and subsequent notices appeared on 10 July 1997, 17 July 1997 and 24 July 1997 as evidenced by the Proof of Publication of said newspaper attached hereto and incorporated herein by reference. A Notice identical to the said published notice was duly posted on the bulletin board at the DeSoto County Courthouse at the location where such are customarily posted for the entire period of four (4) consecutive weeks during which said notice of sale was published. All appropriate measures were taken to conduct a good and lawful sale.

That at sale the said DIANE S. SAUNDERS HILL bid for said lands in the amount of FORTY TWO THOUSAND FIVE HUNDRED FORTY ONE AND 65/100 DOLLARS (\$42,541.65), which said amount being the highest and best bid, the same was then and there struck off to the said DIANE S. SAUNDERS HILL and she was declared the purchasers thereof.

NOW THEREFORE, in consideration of the full payment of the said purchase price, the receipt of which is hereby acknowledged, I, the undersigned substituted trustee, do hereby sell and convey unto DIANE S. SAUNDERS HILL the lands hereinabove described. I convey only such title as is vested in me as substituted trustee.

WITNESS MY SIGNATURE, this the 1st day of August, 1997.



 WILLIAM W. BALLARD
 SUBSTITUTED TRUSTEE

STATE OF MISSISSIPPI
 COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for said county and state, the above named William W. Ballard, acting in his official capacity as Substituted Trustee as aforesaid, who acknowledged that in said representative capacity he executed the above and foregoing instrument, being duly authorized and empowered to so do.

Given under my hand and official seal of office on this the 1st day of August, 1997.

My commission expires:
 23 February 1999


 NOTARY PUBLIC

GRANTOR'S ADDRESS:

2310 ELM STREET
 HERNANDO, MS 38632
 601-429-7886(BUSINESS)
 601-429-6850(RESIDENCE)

GRANTEE'S ADDRESS:

573 HASTINGS WAY
 JONESBORO, GA 30236
 770-473-0711(RESIDENCE)
 (NO BUSINESS TELEPHONE)

[PREPARED BY AND RETURN TO: WILLIAM W. BALLARD, 2310 ELM STREET, HERNANDO, MS 38632...601-429-7886]

**NOTICE OF SUCCESSOR TRUSTEE'S
SALE OF LANDS**

WHEREAS, TOMMY L. ROWE AND BONITA T. ROWE did on 18 SEPTEMBER 1994 execute to GEORGE MCFALL, Trustee, that certain Deed of Trust conveying the hereinafter described lands to secure an indebtedness set forth therein to DIANE S. SAUNDERS HILL, said Deed of Trust being of record in Trust Deed Book 727 at page 362 of the land records of DeSoto County, Mississippi, and,

WHEREAS, the said DIANE S. SAUNDERS HILL, being empowered by the provisions of said Deed of Trust to so do, did on 24 APRIL 1997, duly appoint the undersigned WILLIAM W. BALLARD Successor Trustee, and vested the undersigned as such with all rights and privileges originally vested in said original Trustee under the terms of said Deed of Trust, said appointment of Successor Trustee being of record in Trust Deed Book 811 at page 599 of the land records of said county and state and,

WHEREAS, default has been made in the payment of said indebtedness according to the terms of said Deed of Trust and in the terms and conditions of said Deed of Trust and the holder of said promissory note and the beneficiary under said Deed of Trust, the said DIANE S. SAUNDERS HILL, having declared the entire indebtedness to be immediately due and payable and I, as said Successor Trustee, being directed by the said DIANE S. SAUNDERS HILL to foreclose said Deed of Trust according to its terms.

THEREFORE, notice is hereby given that I, WILLIAM W. BALLARD, Successor Trustee, will on Friday, August 1, 1997, offer for sale and sell at public auction to the highest bidder for cash, at the East door of the DeSoto County Courthouse, within legal hours for sale, the following lands conveyed by said Deed of Trust:

LYING AND BEING SITUATED IN SECTION 13, TOWNSHIP 3, RANGE 8 WEST, IN THE CITY OF HERNANDO, DESOTO COUNTY, MISSISSIPPI:

LOT 46, SECTION D, OAKLAWN SUBDIVISION, AS RECORDED IN PLAT BOOK 6 PAGE 15 IN THE OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI

Said lands are subject to the deed of trust recorded in Trust Deed Book 311 at page 803, assigned in Trust Deed Book 115 at page 172; to the deed of trust recorded in Trust Deed Book 114 at page 255 assigned in Trust Deed Book 115 at page 172, all of said instruments being located in the land records of said county and state and to which reference is hereby made.

I will sell and convey only such title as is vested in me as said successor trustee.

WITNESS MY SIGNATURE, this the 3rd day of July, 1997.

WILLIAM W. BALLARD
Successor Trustee
Jul. 3, 10, 17, 24, 1997



PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI
COUNTY OF DESOTO

TAMMY SCOTT personally appeared before me the undersigned authority in and for said County and State and states on oath that she is the CLERK of the DeSoto Times, a newspaper published in the town of Hernando, State and County aforesaid, and having a general circulation in said county, and that the publication of the notice, a copy of which is hereto attached, has been made in said paper 4 consecutive times, as follows, to-wit:

Volume No. 102 on the 3 day of July, 1997

Volume No. 102 on the 10 day of July, 1997

Volume No. 102 on the 17 day of July, 1997

Volume No. 102 on the 24 day of July, 1997

Volume No. _____ on the _____ day of _____, 19____

Tammy Scott
(TITLE)

Sworn to and subscribed before me, this 24 day of July, 1997

Barbara J. Burke

BY Notary Public

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE

MY COMMISSION EXPIRES: OCT. 31, 1998

My commission expires: BONDED THRU NOTARY PUBLIC UNDERWRITERS

A. Single first insertion of 424 words @ .08 \$ 33.92
B. 3 subsequent insertions of 1272 words @ .05 \$ 63.60
C. Making proof of publication and depositing to same \$ 1.00

TOTAL PUBLISHER'S FEE: \$ 98.52